



RECEIVED
CENTRAL FAX CENTER

MAR 21 2006

4845 Pearl East Circle
Suite 300
Boulder, CO 80301
(720) 931-3000, Fax (720) 931-3001

Direct Dial Number:
(720) 931-3021

www.lathropgage.com

2345 Grand Boulevard,
Suite 2800
Kansas City, MO 64108-2612
(816) 292-2000, Fax (816) 292-2001

230 Park Avenue
Suite 1847
New York, NY 10169
(212) 850-6220, Fax (212) 850-6221

314 East High Street
Jefferson City, MO 65101
(573) 893-4336, Fax (573) 893-5398

10851 Mastin Blvd.
Building 82, Suite 1000
Overland Park, KS 66210-1669
(913) 451-5100, Fax (913) 451-0875

370 17th Street
Suite 4650
Denver, CO 80202-5607
(720) 931-3200, Fax (720) 932-3201

1845 S. National
Springfield, MO 65808-4288
(417) 886-2000, Fax (417) 886-9126

1010 Market Street
Suite 1300
St. Louis, MO 63101-2000
(314) 613-2500, Fax (314) 613-2550

1200 G Street, N.W.
Suite 800
Washington, D.C. 20005
(202) 434-8984, Fax (202) 434-8992

March 21, 2006

From: David J. Lee

Matter No.: 414634

To:	Company:	Fax Number:	Phone Number:
Mail Stop: AF	U.S. Patent Office	(571) 273-8300	

Number of Pages Transmitted (including this cover sheet): 5

Message:

Application Number 09/773,303
Filing Date January 31, 2001
First Named Inventor Larry M. Proctor
Art Unit 1638
Examiner Name Elizabeth F. McElwain
Attorney Docket Number 414634

If you have a problem receiving this facsimile, please call: (720) 931-3000

Fax Attendant: Coral


CONFIDENTIALITY NOTE:

The information in this facsimile message ("fax") is sent by an attorney or his/her agent, is intended to be confidential and for the use of only the individual or entity named above. The information may be protected by attorney/client privilege, work product immunity or other legal rules. If the reader of this message is not the intended recipient, you are notified that retention, dissemination, distribution or copying of this fax is strictly prohibited. If you receive this fax in error, please notify us immediately by telephone and return it to the address above. Thank you.

BEST AVAILABLE COPY

RECEIVED
CENTRAL FAX CENTER

MAR 21 2006

CERTIFICATE OF FACSIMILE TRANSMISSION 37 CFR 1.8			Matter No.
Applicant(s): Larry M. Proctor			414634
Serial No.	Filing Date	Examiner	Group Art Unit
09/773,303	January 31, 2001	Elizabeth F. McElwain	1638
Invention Field Bean Cultivar Named Enola			
<p>I hereby certify that the following: Facsimile Cover Sheet (1 page); Transmittal Form (1 page); Notice Of Appeal From The Examiner To The Board Of Patent Appeals And Interferences (1 page in duplicate); authorization to charge Deposit Account No. 12-0600 in the amount of \$250.00 for the Notice of Appeal; authorization to charge additional fees that may be required, or credit any overpayment, to Deposit Account No. 12-0600; are being sent via facsimile transmission to Mail Stop: AF, c/o the Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 21st day of March, 2006</p>			
<div>Carol Dunkel Name of Transmitter</div>			
<div> Signature of Transmitter</div>			
<div>(571) 273-8300 Facsimile No.</div>			

BEST AVAILABLE COPY

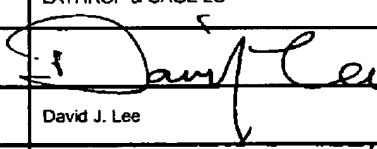
PTO/SB/21 (09-04)

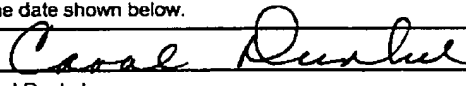
Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/773,303	RECEIVED CENTRAL FAX CENTER MAR 21 2006
	Filing Date	January 31, 2001	
	First Named Inventor	Larry M. Proctor	
	Art Unit	1638	
	Examiner Name	Elizabeth F. McElwain	
Total Number of Pages in This Submission	5	Attorney Docket Number	414634

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Certificate of Facsimile Facsimile Cover Sheet
Remarks 		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm	LATHROP & GAGE LC	
Signature		
Printed Name	David J. Lee	
Date	March 21, 2006	Reg. No. 41,935

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Carol Dunkel	Date	March 21, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BEST AVAILABLE COPY

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 3127
RECIPIENT ADDRESS 915712738300
DESTINATION ID
ST. TIME 03/21 15:57
TIME USE 02'07
PAGES SENT 5
RESULT OK



4845 Pearl East Circle
Suite 300
Boulder, CO 80301
(720) 931-3000, Fax (720) 931-3001

Direct Dial Number:
(720) 931-3021

2345 Grand Boulevard,
Suite 2800
Kansas City, MO 64108-2612
(816) 292-2000, Fax (816) 292-2001

10851 Mastin Blvd.
Building 82, Suite 1000
Overland Park, KS 66210-1669
(913) 451-5100, Fax (913) 451-0875

1010 Market Street
Suite 1300
St. Louis, MO 63101-2000
(314) 613-2500, Fax (314) 613-2550

230 Park Avenue
Suite 1847
New York, NY 10169
(212) 850-6220, Fax (212) 850-6221

370 17th Street
Suite 4650
Denver, CO 80202-5607
(720) 931-3200, Fax (720) 932-3201

www.lathropegage.com

314 East High Street
Jefferson City, MO 65101
(573) 893-4336, Fax (573) 893-5398

1845 S. National
Springfield, MO 65808-4288
(417) 886-2000, Fax (417) 886-9126

1200 G Street, N.W.
Suite 800
Washington, D.C. 20005
(202) 434-8964, Fax (202) 434-8962

March 21, 2006

From: David J. Lee

Matter No.: 414634

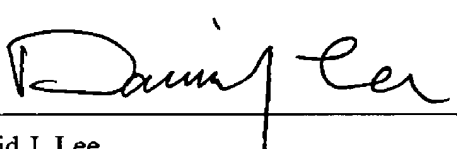
To:	Company:	Fax Number:	Phone Number:
Mail Stop: AF	U.S. Patent Office	(571) 273-8300	

Number of Pages Transmitted (including this cover sheet): 5

Message:

Application Number 09/773,303
Filing Date January 31, 2001
First Named Inventor Larry M. Proctor
Art Unit 1638
Examiner Name Elizabeth F. McElwain

BEST AVAILABLE COPY

Applicant(s): Larry M. Proctor			Matter No. 396168
Serial No. 90/005,892	Filing Date December 20, 2000	Examiner Elizabeth F. McElwain	Group Art Unit 1638
Invention Field Bean Cultivar Named Enola			
<p style="text-align: center;">CERTIFICATE OF SERVICE 37 C.F.R. § 1.248</p> <p>The undersigned certified that on March 21, 2006, a copy Facsimile Cover Sheet (1 page); Certificate of Facsimile (1 page); Transmittal Form (1 page); Copy of the Notice of Appeal Filed in Reissue 09/773,303 (6 pages); Certificate of Service Under 37 CFR 1.248 (1 page) were mailed by first class mail bearing sufficient postage to:</p> <p>Dr. John H. Dodds Dodds& Associates 1707 N. St. NW Washington, D.C. 20036</p> <p>and by International Federal Express bearing sufficient postage to:</p> <p>Victoria Henson-Apollonio International Plant Genetic Resources Institute Via dei Tre Denari, 472/a 00057 Maccarese, Rome ITALY</p> <p> _____ David J. Lee</p> <p style="text-align: right;">Date <u>3/21/06</u></p>			

BEST AVAILABLE COPY